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10/750,319	12/31/2003	Omar Farooq Sayed	075057-010401/US	4680
33717 7590 02/02/2010 GREENBERG TRAURIG LLP (L.A.) 2450 COLORADO AVENUE, SUITE 400E INTELLECTUAL PROPERTY DEPARTMENT SANTA MONICA, CA 90404				
EXAMINER				
SHIN, KYUNG H				
ART UNIT		PAPER NUMBER		
2443				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/750,319

Applicant(s)

SAYED, OMAR FAROOQ

Examiner

Kyung Hye Shin

Art Unit

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 - 6, 8, 9, 11 - 19, 23 - 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 6, 8, 9, 11 - 19, 23 - 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1-8-2010 has been entered.
2. Claims **1, 3 - 6, 8, 9, 11 - 19, 23 - 29** are pending. Claims **1, 11** have been amended. Claims **2, 7, 10, 20 - 22** have been cancelled. Claims **1, 18, 19, 23, 26** are independent. This application was filed on 12-31-2003.

Response to Arguments

3. Applicant's arguments have been fully considered and they were partially persuasive therefore new grounds of rejection have been entered.
 - 3.1 Applicant argues: A. *The Examiner has rejected claims 1, 3-6, 8, 9, 14-19, 23-29, over Poulsen (U.S. Patent No. 7,062,511) (hereinafter "Poulsen"), in view of Vittal et al. (U.S. Patent No. 6,907,401) (hereinafter "Vittal"). (Remarks Page 8, Line 6 - Page 10, Line 2)*

There is no disclosure for the term, "preexisting provider", in the specification or original claims. The claimed invention does not use the term, "preexisting providers".

The only apparent association between entities or providers in the original network directory and the new network directory is that a subset of entities or providers in the original network directory is within the new network directory.

There is no disclosure for the example Applicant describes for Page 8, Line 21 to Page 9, Line 10. There does not appear to be any disclosure in the specification where the subordinate entity associated with the new network directory does not know any of the providers from the original network directory or that exist before the first visit by the subordinate entity. The claimed invention only states that the new network directory is created from a subset of providers in an original network directory.

Poulsen discloses that a default set of portlets or providers can be used as a set of providers for a particular type of portal being generated. This set of portlets or providers are not provided by the user as input but are supplied by the server designated as the builder of the new network directory. (Poulsen col 6, ll 44-51: default set of portlets useful for the type of business being setup). Applicant states that the master entity maintains an existing directory of providers (*Remarks Page 8, Lines 13-14*), which is analogous to a default set of portlets.

If Applicant feels there is disclosure for preexisting providers as argued in the remarks, please indicate the citations in the specification that support preexisting providers as argued.

Claim 26 has similar limitations to Claim 1.

3.2 Applicant argues: *B. Claims 10-13 (Remarks Page 10, Lines 3-8)*

Claim 10 has been cancelled, therefore arguments for Claim 10 are moot. Claims

11-13 depend from independent Claim 1. Responses to arguments against independent Claim 1 also address arguments against dependent claims. Refer to 3.1

Claim Rejections - 35 USC § 103

The text of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims **1, 3 - 6, 8, 9, 11 - 19, 23 - 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Poulsen** (US Patent No. **7,062,511**) in view of **Vittal et al.** (US patent No. **6,907,401**) and further in view of **Joao et al.** (US PGPUB No. **20010037205**).

Regarding Claims 1, 18, 19, 23, Poulsen discloses a method, computer system, computer program product for creating an on-line shopping mall using an existing computer network directory of a first plurality of providers associated with a master entity, the method comprising:

- a) receiving one or more inputs from a subordinate entity for a customization model;
(Poulsen col. 5, lines 31-34: preferences data input to portal server received (input) through graphical user interface))
- b) creating a new computer network directory of a second plurality of providers associated with the subordinate entity using the existing computer network directory as governed by and the customization model, wherein the second plurality of providers comprises a subset of the first plurality of providers, and wherein one or more of the first plurality of providers is copied at least in part to the new computer network directory; (Poulsen col 7, ll 35-40: preference data (seed data) collected; portal generated based on preference data; col 4, ll 25 - 41:

development of a portal using portal website development system; usage of seed data (data defining the portal; col. 6, I 62 - col 7, I 7: set of portlets (providers) added to portal; providers selected from a list of portlets (selected portlets is a subset of list); col 6, II 44-51: default set of portlets useful for the type of business being setup; col 5, II 15-22: store information about one or more web portal sites within database; col 3, II 44-56: portal database) and

- d) embedding an identifier corresponding to the subordinate entity into at least a portion of the new computer network directory. (Poulsen col 4, II 54-61: subscriber ID, unique identifier associated with each portal; col 7, II 63-67)

Poulsen does not explicitly disclose network location information.

However, Vittal discloses network location information. (Vittal col 4, II 47-50: URL link interface to merchant sites (network locations))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for network location information as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Poulsen-Vittal does not explicitly disclose sharing a portion of revenue.

However, Joao discloses wherein each of the first plurality of providers has a contractual duty to share at least a portion of its revenue with the master entity.

(Joao para 073; para 079: referral fees earned for referring parties; para 100, II 1-6:

merchant can notify content provider and allocate a commission and/or referral fee to content provider (master entity) for referral (provider from original network directory and in new network directory))

It would have been obvious to one of ordinary skill in the art to modify Poulsen-Vittal for sharing a portion of revenue as taught by Joao. One of ordinary skill in the art would have been motivated to employ the teachings of Joao to provide for monitoring, tracking, and management of referral relationships in network type environments which are prevalent within business today. (Joao para 002, ll 5-9)

Regarding Claim 3, Poulsen discloses the method of claim 1 and a plurality of providers. (Poulsen Figure 4H (440; 441; 442; 443); col 6, l 62 - col 7, l 7: lists of portlets (providers) selected for generated web portal)

Poulsen does not explicitly disclose offering goods and services.

However, Vittal discloses wherein providers offers goods, services or both goods and services. (Vittal col 1, ll 6-10; col 3, ll 38-40: provide only goods and services)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for providers offering goods and services as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 4, Poulsen discloses the method of claim 1.

Poulsen does not explicitly disclose a network location.

However, Vittal discloses wherein each of the first plurality of providers is associated in the existing computer network directory with a network location. (Vittal col 4, ll 47-50: portal, user interface consists of links (network location) to merchants (providers); col 5, ll 2-4; col 5, ll 9-15: each merchant (provider) network accessible to customers and aggregators)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a network location as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 5, Poulsen discloses the method of claim 4.

Poulsen does not explicitly disclose a network location.

However, Vittal discloses wherein each of the second plurality of providers is associated in the new computer network directory with a network location. (Vittal col 4, ll 47-50: portal, user interface consisting of links (network locations) to current set of merchants (providers); col 5, ll 2-4; col 5, ll 9-15: subset of merchants (providers) network accessible to customers and aggregators)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a network location as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated

means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 6, Poulsen discloses the method of claim 5 further comprising one or more of the second plurality of providers by passing linking information for each of the one or more of the second plurality of providers through a hosting server controlled by the master entity. (Poulsen col 2, l 66 - col 3, l 7: portal development system; portal server, database; col 6, l 62 - col 7, l 7: list (links) of portlets (providers))

Poulsen does not explicitly disclose referring potential customers.

However, Joao discloses wherein referring potential customers. (Joao para 073; para 079: referral fees earned for referring parties; para 100, ll 1-6: merchant can notify content provider and allocate a commission and/or referral fee to content provider (master entity) for referral (provider from original network directory and in new network directory))

It would have been obvious to one of ordinary skill in the art to modify Poulsen-Vittal for referring potential customers as taught by Joao. One of ordinary skill in the art would have been motivated to employ the teachings of Joao to provide for monitoring, tracking, and management of referral relationships in network type environments which are prevalent within business today. (Joao para 002, ll 5-9)

Regarding Claim 8, Poulsen discloses the method of claim 4 each of the first plurality of providers is associated in the existing computer network directory. (Poulsen col 1, ll

42-46: one or more portlets (providers))

Poulsen does not explicitly disclose a unique network location.

However, Vittal discloses wherein each provider is associated with a unique network location identified by a uniform resource locator. (Vittal col 4, ll 47-50: URL link interface to merchant sites (network locations))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a unique network location as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 9, Poulsen discloses the method of claim 1 wherein the creating of the new computer network directory is performed on at least one server controlled by the master entity. (Poulsen col 2, l 66 - col 3, l 7: portal website development system (server system); col 6, l 62 - col 7, l 7: lists of portlets (content providers); portal setup)

Regarding Claim 11, Poulsen discloses the method of claim 1.

Poulsen does not explicitly disclose sharing a portion of revenue.

However, Joao discloses wherein one or more of the second plurality of providers has a contractual duty to share a least a portion of revenue with the subordinate entity. (Joao para 073; para 079: referral fees earned for referring parties; para 100, ll 1-6: merchant can notify content provider and allocate a commission and/or referral fee to content

provider (master entity) for referral (provider from original network directory and in new network directory))

It would have been obvious to one of ordinary skill in the art to modify Poulsen-Vittal for sharing a portion of revenue as taught by Joao. One of ordinary skill in the art would have been motivated to employ the teachings of Joao to provide for monitoring, tracking, and management of referral relationships in network type environments which are prevalent within business today. (Joao para 002, ll 5-9)

Regarding Claim 12, Poulsen discloses the method of claim 11.

Poulsen does not explicitly disclose a contractual relationship.

However, Joao discloses wherein the portion of revenue of the one or more second plurality of providers is established by the contractual relationship of the master entity with the first plurality of providers. (Joao para 073; para 079: referral fees earned for referring parties; para 100, ll 1-6: merchant can notify content provider and allocate a commission and/or referral fee to content provider (master entity) for referral (provider from original network directory and in new network directory))

It would have been obvious to one of ordinary skill in the art to modify Poulsen-Vittal for a contractual relationship as taught by Joao. One of ordinary skill in the art would have been motivated to employ the teachings of Joao to provide for monitoring, tracking, and management of referral relationships in network type environments which are prevalent within business today. (Joao para 002, ll 5-9)

Regarding Claim 13, Poulsen discloses the method of claim 11.

Poulsen does not explicitly disclose sending a portion of revenue.

However, Joao discloses wherein further comprising sending revenue from the master entity to the subordinate entity corresponding to the portion of revenue of the one or more second plurality of providers. (Joao para 073; para 079: referral fees earned for referring parties; para 100, II 1-6: merchant can notify content provider and allocate a commission and/or referral fee to content provider (master entity) for referral (provider from original network directory and in new network directory))

It would have been obvious to one of ordinary skill in the art to modify Poulsen-Vittal for sharing a portion of revenue as taught by Joao. One of ordinary skill in the art would have been motivated to employ the teachings of Joao to provide for monitoring, tracking, and management of referral relationships in network type environments which are prevalent within business today. (Joao para 002, II 5-9)

Regarding Claim 14, Poulsen discloses the method of claim 1 wherein the new computer network directory.

Poulsen does not explicitly disclose a directory of merchants.

However, Vittal discloses wherein a directory of merchants for on-line shopping by customers. (Vittal col 1, II 6-10; col 4, II 41-47: only selling of goods and services by merchants (providers))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a directory of merchants as taught by Vittal. One of ordinary skill in the art would have

been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 15, Poulsen discloses the method of claim 14 wherein the one or more inputs for the customization model to use in copying selected data from the existing computer network directory. (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input) through graphical user interface))

Poulsen does not explicitly disclose product categories.

However, Vittal discloses wherein product categories. (Vittal col 8, ll 35-64: merchant (provider) determines information to be displayed at aggregator (portal, master entity) site for customer (user))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for product categories as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 16, Poulsen discloses the method of claim 1.

Poulsen does not explicitly disclose online shopping environment and making a purchase.

However, Vittal discloses wherein further comprising providing an on-line shopping

environment for customers, wherein the shopping environment incorporates the new computer network directory, and wherein the shopping environment is configured so that customers may select a merchant from the new computer network directory to make a purchase. (Vittal col 13, ll 57-62; col 8, ll 56-63: users (customers) may purchase items (using shopping cart) from directory (list of merchants))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for online shopping environment and making a purchase as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 17, Poulsen discloses the method of claim 16. (Poulsen col 1, ll 42-46: multiple portlets (providers))

Poulsen does not explicitly disclose an online shipping environment.

However, Vittal discloses wherein (i) the on-line shopping environment comprises a user interface and (ii) one or more inputs from the subordinate entity comprise defining conditional rules; and the method further comprising configuring the user interface to dynamically update based on the conditional rules. (Vittal col 2, ll 53-68; col 8, ll 35-64: user interface for merchants (providers) to customized information displayed at portal website)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for online shopping environment as taught by Vittal. One of ordinary skill in the art would

have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 24, Poulsen discloses the method of claim 23 and usage of rules. (Poulsen col 1, ll 42-46: multiple portlets (providers); col 9, ll 6-10: applying rules defined in portal database)

Poulsen does not explicitly disclose a product category.

However, Vittal discloses wherein one of the at least one rule comprises a product category. (Vittal col 8, ll 43-45: disclose information to the user related to pricing of a product (product category))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a product category as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 25, Poulsen discloses the method of claim 23 and usage of rules. (Poulsen col 1, ll 42-46: multiple portlets (providers); col 9, ll 6-10: applying rules defined in portal database)

Poulsen does not explicitly disclose a featured merchant.

However, Vittal discloses wherein one of the at least one rule comprises featured

merchants. (Vittal col 8, ll 56-58: allow merchant (a featured merchant) to specify the shopping options available to the user)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for providers offering goods and services as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 26, Poulsen discloses a method for a master entity to create an on-line shopping mall for a subordinate entity and to track referrals from the shopping mall, the method comprising:

- a) receiving, from the subordinate entity, one or more inputs to define a customization model to create the shopping mall; (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input) through graphical user interface))
- b) using selected portions of data from an existing computer network directory of the master entity as governed by the customization model to create a new computer network directory. (Poulsen col 5, ll 15-22: information for one or more portals stored in portal schema; col 4, ll 25 - 41: development of a portal using portal website development system; usage of seed data (data defining the portal)), wherein:
 - (i) the existing computer network directory comprises a plurality of providers

originally associated with the master entity; (Poulsen col 5, ll 15-22:
information for one or more portals stored in portal schema) and
(ii) the new computer network directory comprises a link to each of a subset of
the plurality of providers, and further comprises an identifier embedded into
each link to identify the subordinate entity; (Poulsen col 4, ll 54-61: subscriber
ID, unique identifier associated with each portal)

Poulsen does not explicitly disclose a shopping mall.

However, Vittal discloses a shopping mall. (Vittal col 4, ll 35-46: shopping engine;
product offerings, reviews, information from merchants, advertisements, other
information for people conducting electronic commerce)

It would have been obvious to one of ordinary skill in the art to modify Poulsen
for a shopping mall as taught by Vittal. One of ordinary skill in the art would have
been motivated to employ the teachings of Vittal for an aggregator to have an
automated means of acquiring a merchant, deciding whether or not to include a
merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Poulsen does not explicitly disclose tracking referrals.

However, Joao discloses:

c) tracking referrals from the shopping mall using the identifier, wherein configured
to provide customer access to the subset of providers. (Joao para 073; para 079:
referral fees earned for referring parties; para 100, ll 1-6: merchant can notify
content provider and allocate a commission and/or referral fee to content

provider (master entity) for referral (provider from original network directory and in new network directory))

It would have been obvious to one of ordinary skill in the art to modify Poulsen-Vittal for tracking referrals as taught by Joao. One of ordinary skill in the art would have been motivated to employ the teachings of Joao to provide for monitoring, tracking, and management of referral relationships in network type environments which are prevalent within business today. (Joao para 002, ll 5-9)

Regarding Claim 27, Poulsen discloses the method of claim 26 and at least one of the one or more inputs for the customization model.

Poulsen does not explicitly disclose product categories.

However, Vittal discloses wherein further comprising providing, to the subordinate entity, a plurality of product categories for selection by the subordinate entity. (Vittal col 8, ll 43-45: disclose information to the user related to pricing of a product (product category))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for product categories as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 28, Poulsen discloses the method of claim 26.

Poulsen does not explicitly disclose the term "shopping mall".

However, Vittal discloses wherein the shopping mall of the first subordinate entity is a first shopping mall, and further comprising publishing a second shopping mall based on the existing computer network directory, wherein the first and second shopping malls are simultaneously available on-line for customer access. (Vittal col 4, ll 35-46: shopping engine; product offerings, reviews, information from merchants, advertisements, other information for people conducting electronic commerce)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for disclosure of the term "shopping mall" as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Regarding Claim 29, Poulsen discloses the method of claim 26 wherein the subordinate entity is a first subordinate entity, the customization model is a first customization model, and the new computer network directory is a first directory, and further comprising:

- a) receiving one or more inputs to define a second customization model; (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input through graphical user interface))

Poulsen discloses wherein using selected portions of data from the first directory as governed by the second customization model to create a second new computer network directory. (Poulsen col 5, ll 15-22: information for one or more portals

stored in portal schema)

Poulsen does not explicitly disclose the term "shopping mall".

However, Vittal discloses

- b) a shopping mall of the second subordinate entity. (Vittal col 4, ll 35-46: shopping engine; product offerings, reviews, information from merchants, advertisements, other information for people conducting electronic commerce)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for disclosure of the term "shopping mall" as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung Hye Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L. Dollinger can be reached on (571) 272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyung Hye Shin/
Examiner
Art Unit 2443

January 27, 2010